#

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4481 OF 2006

Ms.Anita Shashikant Meher .. Applicant

Versus

State of Maharashtra .. Respondent

Mr.Prashant Naik for applicant

Mr.S.S.Pednekar, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 22nd December 2006

P.C.

. Heard Mr.Naik for applicant who is woman accused of 21 years and in custody since February 2006 in connection with C.R.No.I-38 of 2006

registered with Virar Police Station. The C.R. is now subject matter of sessions case 85 of 2006. Investigations are complete and the charge sheet is filed.

2. According to Mr.Naik, the statement of the deceased read as a whole together with medical certificate would reveal that it is a case of accidental death. Injuries cannot be ruled out, if a person goes around a pyre and accidently falls in it on account of giddiness. The deceased was complaining of ill-health but voluntarily came at the site.

3. Learned A.P.P. states that even if the applicant is woman accused she is responsible for the accident including confining the deceased to the house and the dying declarations demonstrating burn injuries so also the role of the present applicant. She is residing in the neighbourhood of deceased and it is quite likely that upon release, she may influence the

witnesses.

4. Since the charge sheet is filed and the applicant is woman accused and under detention from 10th February 2006 in the facts peculiar to her so also she agreeing to reside outside limits of Virar Police Station, following order would sub-serve the ends of justice.

i) The applicant arrested in connection with C.R.No.I-38 of 2006 registered with Virar Police Station shall be enlarged on bail in the sum of Rs.10,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicant will not stay within the jurisdiction of Virar Police Station and will remain present before the nearest police station once a week on every Saturday between 5.00 p.m.

and 7.00 p.m. till conclusion of the trial.

iii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate

with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)